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Atty Dkt 0085.006
2300-0085.04
PATENT

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on November 10, 1999.

11/10/99

Date

Gail Wardwhee

Signature

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

VAN NEST et al.

Serial No.: 08/418,870

Group Art Unit: 1643

Filing Date: April 7, 1995

Examiner: D. Wortman

Title: ADJUVANT FORMULATION COMPRISING SUBMICRON OIL
DROPLET EMULSION

AMENDMENT TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is an amendment in the above patent application in response to the Office Action of August 10, 1999.

Petition for Extension of Time enclosed.

No additional amendment fee is required.

Also enclosed: (1) Copy of the declaration of co-inventors, Gary Van Nest, Gary Ott and Gail Barchfeld, dated Dec 22, 1994, submitted in related Application No. 08/215,007 ("Declaration-94"); (2) Copy of the declaration of co-inventors, Gary Van Nest, Gary Ott and Gail Barchfeld, dated May 14, 1997, submitted in related Application No. 08/418,870 ("Declaration-97"); (3) Copy of Ott et al., Vaccine Design: The Subunit and Adjuvant Approach, Chapter 10, Powell et al., Plenum Press, New York (Reference AH-2, filed with the supplemental information disclosure statement dated Jan 19, 1998); (4) Statement of Grounds of Appeal to the Decision Revoking the European Patent, which was filed with the supplemental information disclosure statement dated Jan 19, 1998 (Reference AO-2); (5) Copy of the declaration of Lynn Woodard (Document A-1 enclosed with the Statement of Grounds of Appeal to the Decision Revoking the European Patent); and (6) Copy



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of Annex 2 to the Statement of Grounds of Appeal to the Decision
Revoking the European Patent.

No. of Claims After Amendment		Most Claims Previously Paid			Extra Claims			Additional Fee		
A. Total Claims	12	-	20	=	0	x	\$18	=	0.00	
B. Ind. Claims	1	-	3	=	0	x	\$78	=	0.00	
C. If amended to contain multiple dependent claims, add 260							\$260	=	\$0.00	
D. Total Amendment Fee (Total of A, B & C)								=	0.00	
E. If small entity, 50% reduction of Total Amendment Fee (50% of D)								=	0.00	
F. Total Amendment Fee (D minus E)								=	0.00	

— A check for \$ to cover the extension of time fee and extra claims fee is attached.

— Charge \$ to Deposit Account No. 18-1648.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: Nov 10, 1999

By:

Vandana Date
Registration No. 38,675
Attorney for Applicants

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